

REMARKS

Entry of the foregoing amendments, favorable reconsideration, reexamination, and allowance of the present patent application are respectfully requested in view of the foregoing amendments and the following remarks.

Allowable Claims

Applicant gratefully acknowledges that the Advisory Action indicates that Claims 1, 5, 6, 11, and 12 have been allowed, that Claim 4 is allowable but for its typographical error, and that Claims 8 and 9 are free of the prior art (were the July 31st Amendment entered). By way of the foregoing amendments, the amendments as presented in the July 31st paper have been repeated, Claim 4 now correctly depends from Claim 1, Claim 7 has been cancelled, Claim 8 has been placed in independent form, and the dependency of Claim 10 has been changed. Accordingly, all the pending claims, when this amendment is entered, are allowable.

Rejection under 35 U.S.C. § 103(a)

In the Advisory Action, beginning at page 3, Claims 7 and 10 were again rejected under 35 U.S.C. § 103(a), as reciting subject matters that allegedly are obvious, and therefore allegedly unpatentable, over *Gutmark* in view of *Paschereit*. Applicants respectfully request reconsideration of these rejections.

Claim 7 has been cancelled, and Claim 10 depends from allowable Claim 8; accordingly, their rejections are moot.

For at least the foregoing reasons, Applicants respectfully submit that the subject matter of Claim 10, taken as a whole, would not have been obvious to one of ordinary skill in the art at the time of Applicant's invention, is therefore not unpatentable under 35 U.S.C. § 103(a), and therefore respectfully requests withdrawal of the rejection thereof under 35 U.S.C. § 103(a).

Obviousness-type Double Patenting Rejection

In the Advisory Action, beginning at page 6, Claim 7 was again provisionally rejected

under the judicially-created doctrine of obviousness-type double patenting as reciting subject matter that is allegedly not separately patentable over the subject matter recited in Claim 7 of the '564 application. Applicants respectfully request reconsideration of this rejection.

While Applicant still strongly disagrees with the positions presented in the various Office Actions concerning Claim 7 and alleged double patenting, Applicant has at this time elected to move prosecution forward toward passage to issue; Claim 7 has been cancelled, making its rejection moot.

Conclusion

Applicant respectfully submits that the present patent application is in condition for allowance. An early indication of the allowability of this patent application is therefore respectfully solicited.

If Mr. Cocks believes that a telephone conference with the undersigned would expedite passage of this patent application to issue, he is invited to call on the number below.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. If, however, additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and the Commissioner is hereby authorized to charge fees necessitated by this paper, and to credit all refunds and overpayments, to our Deposit Account 50-2821.

Respectfully submitted,

By: /Adam J. Cermak/
Adam J. Cermak
Registration No. 40,391

U.S. P.T.O. Customer Number 36844

Cermak & Kenealy LLP
515 E. Braddock Rd., Suite B
Alexandria, Virginia 22314

703.778.6609 (v)
703.652.5101 (f)

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